

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DERRICK WEARRY,</b> Plaintiff,  v.  <b>CONNER BLAINE et al.,</b> Defendant.	<b>CIVIL ACTION</b> <b>No. 02-2913</b>
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**ORDER**

**AND NOW**, this            day of September, 2003, upon independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge M. Faith Angell, and the petitioner's written objections, it is hereby **ORDERED** that:

1. The petitioner's objections are **DENIED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED** without an evidentiary hearing.
4. There is no probable cause to issue a certificate of appealability.

**BY THE COURT:**

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**MARVIN KATZ, S.J.**